

Attorney Docket No.: 01CON251P
Application Serial No.: 09/418,397

REMARKS

In the *non-final* Office Action, dated June 29, 2005, the Examiner has rejected claims 1-81. After the present response, claims 1-81 are pending in the application. Reconsideration and allowance of pending claims in view of the following remarks are respectfully requested.

A. Rejection of Claims 1, 5, 8 and 22-81 under 35 USC § 103(a)

The Examiner has rejected claims 1, 5, 8 and 22-81, under 35 USC § 103(a), as being unpatentable over Arnaud et al. (USPN 6,650,662) (hereinafter "Arnaud") in view of Yaguchi (USPN 5,818,929) ("Yaguchi").

Contrary to the previous Office Action where the Examiner had acknowledged that Arnaud fails to disclose, teach or suggest "while no potential DTMF signals have been detected, promptly transmitting a digital packet after sufficient time has elapsed for a potential DTMF signal to be detected in said digital packet; and if a potential DTMF signal is detected, storing the digital packets and stalling transmission of stored digital packets until DTMF detection can be performed, and if the potential DTMF signal does not result in a DTMF detection, promptly transmitting the stored digital packets, and if the potential DTMF signal does result in a DTMF detection, discarding the stored digital packets and transmitting a control packet containing information relating to characteristics of a DTMF signal that was detected," the Examiner now states that Arnaud discloses all the elements of claim 1, except that Arnaud does not disclose "stalling transmission of stored digital packets until DTMF detection can be performed." Further, the Examiner states that "Yaguchi discloses a method and apparatus for DTMF detection in which a filter utilizing a short energy-propagation delay time to perform DTMF detection in a

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short time and suppress erroneous detection.” The Examiner goes on to state that “It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the delayed DTMF detection method of Yaguchi in the digital DTMF transmission system of Arnaud. Applicant respectfully but strongly disagrees with the Examiner’s position.

First, the Examiner states that Arnaud discloses the following element of claim 1 that reads “if the potential DTMF signal does not result in a DTMF detection, promptly transmitting the stored digital packets”, at Figure 7 and column 5, lines 61-62 stating “when no DTMF signal is pre-detected” the voice traffic is transmitted after a delay. Applicant respectfully submits that there is a fundamental distinction between the recited element of claim 1 and the cited portion of Arnaud. The Examiner should note that claim 1 reads “if the *potential DTMF* signal does not result in a DTMF detection, promptly transmitting the stored digital packets”, whereas Figure 7 and the cited portion of Arnaud describe the operation of Arnaud “when no DTMF signal is *pre-detected*.” The *potential DTMF* signal of claim 1 means that the DTMF signal has been pre-detected. This is a major difference between Arnaud and claim 1 of the present application, because the DTMF detector 203 of Arnaud does not send any packets to the transmit interface unit 205 if the pre-detected (or potential) DTMF signal is a false DTMF signal. In contrast, method of claim 1 states “if the *potential DTMF* signal does not result in a DTMF detection, promptly transmitting the stored digital packets.”

Applicant respectfully submits that the reason Arnaud does not and has no need to “send any packets to the transmit interface unit 205 if the pre-detected (or potential) DTMF signal is not validated” is that once Arnaud pre-detects the DTMF signal, the DTMF detector 203 causes the filter 201 to block out one of the dual tones of each possible DTMF signal, and the filtered

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digital packets are provided to the transmit interface unit 205 through compression 204 while the DTMF detector is determining whether the pre-detected DTMF signal is a true or false DTMF signal. Since the filtered digital packets are transmitted in parallel with the validation process, Arnaud does not and has no need to transmit any digital packets that have been analyzed by the DTMF detector 203. Therefore, Arnaud does not perform the recited element of claim 1, which reads "if the potential DTMF signal does not result in a DTMF detection, promptly transmitting the stored digital packets."

Further, as acknowledged again by the Examiner, Arnaud fails to disclose, teach or suggest that "if a potential DTMF signal is detected, storing the digital packets and stalling transmission of stored digital packets until DTMF detection can be performed," as recited in claim 1. However, the Examiner states that Yaguchi discloses this element of claim 1. Applicant respectfully submits that the Examiner's reliance on Yaguchi is completely misplaced. Based on the Examiner's statement, Yaguchi stands for "a method and apparatus for DTMF detection in which a filter utilizing a short energy-propagation delay time to perform DTMF detection in a short time and suppress erroneous detection. First, the filtering process of Yaguchi is related to DTMF detection and has no relevance, whatsoever, to storing the digital packets and stalling transmission of stored digital packets until DTMF detection can be performed after a potential DTMF signal is detected. Yaguchi makes no mention of what happens to digital packets while DTMF is being detected, let alone storing the digital packets and stalling transmission of stored digital packets. Claim 1 of the present application is not directed at how the DTMF signal is detected or the process for DTMF detection, but it is a robust process for removing or discarding packets containing the DTMF signal. Furthermore, even with respect to the filtering

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process of Yaguchi, applicant would like to note that “energy-propagation delay time” is very different than stalling transmission of digital packets until DTMF detection is confirmed. For example, if packets are transmitted with a delay, the packets can no longer be discarded once transmitted. Therefore, “stalling transmission until occurrence of an event” is very different than “transmission with a propagation delay.”

Accordingly, claim 1 and its dependent claims 5 and 8 are patentably distinguishable over Arnaud and should be allowed. Further, independent claims 22, 30, 38, 47, 56, 65, 70 and 76 have limitations similar to those of claim 1, as described above, and should be allowed at least for the same reasons stated above. Claims 23-29, 31-37, 39-46, 48-55, 57-64, 66-69 and 71-81 are dependent claims, and should be allowed at least for the same reasons that their respective independent claim is allowable.

B. Rejection of Claims 2-4, 6, 7, 9, 10 and 17-21 under 35 USC § 103(a)

The Examiner has rejected claims 2-4, 6, 7, 9, 10 and 17-21, under 35 USC § 103(a), as being unpatentable over Arnaud in view of Yaguchi, and Arnaud in view of Kozdon (USPN 6,385,192) (hereinafter “Kozdon”). Applicant respectfully disagrees.

Applicant respectfully submits that claims 2-4, 6, 7, 9, 10 depend from claim 1 and should be allowed at least for the same reasons stated above in conjunction with patentability of claim 1. Further, independent claims 17 and 19 have limitations similar to those of claim 1, as described above, and thus, claims 17 and 19, and their respective dependent claims 18 and 20-21 should be allowed at least for the same reasons stated above.

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C. Rejection of Claims 11-16 under 35 USC § 103(a)

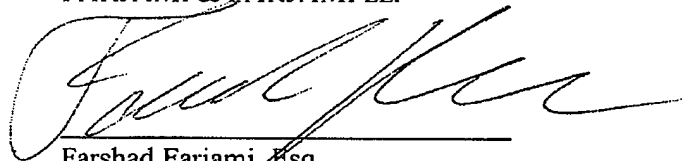
The Examiner has rejected claims 11-16, under 35 USC § 103(a), as being unpatentable over Arnaud in view of Yaguchi, and further in view of Schulzrinne (ietf-avt-dtmf-01.txt) (hereinafter "Schulzrinne"), and Arnaud in view of Kozdon. Applicant respectfully disagrees.

Applicant respectfully submits that claims 11-16 depend from claim 1 and should be allowed at least for the same reasons stated above in conjunction with patentability of claim 1.

D. Conclusion

For all the foregoing reasons, an early allowance of claims 1-81 pending in the present application is respectfully requested. The Examiner is invited to contact the undersigned for any questions.

Respectfully Submitted;
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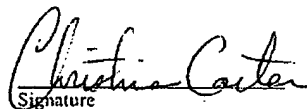
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